

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5200-N-01A]

Fiscal Year 2008 SuperNOFA for HUD's Discretionary Programs

AGENCY: Office of the Secretary, HUD.

ACTION: Notice of HUD's 2008 Notice of Funding Availability (NOFA) for HUD's Discretionary Programs (SuperNOFA).

SUMMARY: On March 19, 2008, HUD published its Notice of Fiscal Year (FY) 2008 Notice of Funding Availability Policy Requirements and General Section to HUD's FY2008 NOFAs (General Section). HUD published the General Section of in advance of the individual NOFAs to give prospective applicants sufficient time to understand policy and program requirements that apply to the majority of HUD's programs in advance of the publication of the program section NOFAs, to register early with Grants.gov in order to facilitate their application submission process, and to gain a better understanding of the Grants.gov application receipt and validation process. Today's publication contains the 36 funding opportunities that constitute HUD's FY2008 SuperNOFA. Today's publication also provides a revised Appendix A that lists the programs contained in the FY2008 SuperNOFA and corrects two items contained in the General Section published on March 19, 2008.

DATES: Application deadline and other key dates that apply to all HUD federal financial assistance made available through HUD's FY2008 SuperNOFA are contained in each individual program NOFA and in Appendix A of this notice.

FOR FURTHER INFORMATION CONTACT: The individual program NOFA identifies the applicable agency contact(s) for each program. Questions regarding today's

Introduction to the SuperNOFA should be directed to the NOFA Information Center between the hours 10:00 a.m. and 6:30 p.m. eastern time at (800) HUD-8929. Hearing-impaired persons may access this telephone via TTY by calling the toll-free Federal Information Relay Service at (800) 877-8339. Questions regarding specific program requirements should be directed to the agency contact(s) identified in each program NOFA.

SUPPLEMENTARY INFORMATION

HUD published the Policy Requirements and General Section to HUD's FY2008 NOFAs (the **General Section**) in the Federal Register on March 19, 2008 (73 FR 14882). HUD published the **General Section** in advance of the individual program NOFAs to give prospective applicants sufficient time to understand policy and program requirements that apply to the majority of HUD's programs in advance of the publication of the program section NOFAs, to register early with Grants.gov in order to facilitate their application submission process, and to gain a better understanding of the Grants.gov application receipt and validation process. Today's publication contains the 36 individual funding opportunities that constitute HUD's FY2008 SuperNOFA. Through the FY2008 SuperNOFA, HUD is making available approximately \$1.02 billion in federal financial assistance. Today's publication also provides a revised Appendix A that lists the programs contained in the FY2008 SuperNOFA and corrects items contained in the **General Section** published on March 19, 2008.

Each program NOFA provides the statutory and regulatory requirements, threshold requirements, and rating factors applicable to funding made available through the individual NOFA. Applicants must also read, however, the **General Section** for

important application information and requirements, including submission requirements that provide explicit instructions on file formats acceptable to HUD.

Appendix A to the **General Section** identified the funding opportunities that HUD anticipated would be included in the FY2008 SuperNOFA. HUD is revising and republishing Appendix A (Revised Appendix A) as part of today's publication. Revised Appendix A provides a corrected and up-to-date list of the funding opportunities included in today's FY2008 SuperNOFA publication. Revised Appendix A also lists the application deadline date and the approximate amount of funding available for each of the program NOFAs contained in the FY2008 SuperNOFA. Applicants are reminded that, unless they obtain a written waiver, applications must be **received and validated** by Grants.gov by 11:59:59 p.m. eastern time on the application deadline date. The validation check can take 24 to 48 hours after an application is received by Grants.gov. **As a result, HUD strongly encourages applicants to submit their applications 48 to 72 hours prior to the application deadline date.** By submitting prior to the application deadline date, applicants will have time to cure any deficiency in their applications should it fail the validation process. HUD also reminds applicants that, if they have changed their email address, they must also update their Authorized Organization Representative (AOR) registration with Grants.gov. Failure to update the AOR email address will prevent individuals submitting applications on behalf of an applicant from receiving a validation receipt or rejection notice from Grants.gov.

In reviewing Revised Appendix A, applicants should note that the HOPE VI program is not part of the FY2008 SuperNOFA. HUD published the HOPE VI NOFA separately in the Federal Register on March 26, 2008 (73 FR 16140). The application

and instructions for the HOPE VI NOFA can be found on the Grants.gov website at http://www07.grants.gov/applicants/find_grant_opportunities.jsp. In addition, the Continuum of Care program is not part of today's publication. Applicants for the Continuum of Care program should be advised that HUD will require applicants to submit Continuum of Care applications electronically in FY2008. Because the electronic application is not yet available, however, details of the registration process and other submission details (including, application submission date and timely receipt requirements) will be published in two notices that will be published in the Federal Register later this year. HUD expects the first notice to be available in spring 2008. HUD expects to publish the Continuum of Care NOFA no earlier than July 1, 2008. Notification of the availability of registration instructions, the application and other information will be released through the Grants.gov/Find website. To be placed on the Grants.gov notification service for notices about the Continuum of Care electronic application process, go to <http://www.grants.gov/search/subscribeAdvanced.do>. To join the HUD homeless assistance programs listserv go to <http://www.hud.gov/subscribe/signup.cfm?listname=Homeless%20Assistance%20Program&list=HOMELESS-ASST-L>.

HUD is also using today's publication to correct the following items in the General Section published on March 19, 2008:

On page 14885, Section III, C.2.j., the section on Debarment and Suspension, is modified to reference the December 24, 2007 final rule on Implementation of OMB Guidance on

Nonprocurement Debarment and Suspension (72 FR 73484). The December 24, 2007, final rule relocated HUD's regulations governing nonprocurement debarment and suspension to a new part in title 2 of the Code of Federal Regulations. The relocation of HUD's nonprocurement debarment and suspension regulation is part of a governmentwide initiative to create one location where the public can access both the Office of Management and Budget guidance for grants and agreements and the associated federal agency implementing regulations. HUD's final Rule is available at <http://www.hud.gov/grants/index.cfm> on the right hand side of the page under "What's Hot!

On page 14890, Section VI.B.b. "Step Two: Register with CCR," is corrected to reflect the operating hours of the Central Contractor Registration (CCR) Assistance Center. If you need assistance you can contact the CCR Assistance Center, Monday to Friday, except federal holidays, from 9:00 a.m.-5:00 p.m. eastern time by calling 888-227-2423 or 269-961-5757. CCR also has on line help incorporated into its website. To obtain the online help, use the HELP link at the top of the page.

Applicants are invited and encouraged to participate in HUD's satellite training and webcast sessions designed to provide a detailed explanation of the general section and program section requirements for each of the SuperNOFA programs. The interactive broadcasts provide an opportunity to ask questions of HUD staff. These broadcasts are archived and accessible from HUD's Grants page at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>. HUD also encourages all applicants to subscribe to the Grants.gov free notification service. By doing so, applicants will receive email notification as soon as items are posted to Grants.gov and

have access to a significant amount of useful information, including responses to frequently asked questions that arise during the funding application period. The address to subscribe to the Grants.gov free notification service is

http://www.grants.gov/applicants/email_subscription.jsp. Corrections to the **General**

Section, program NOFAs, or the application are posted to www.Grants.gov as soon as they are available. HUD will also post the Continuum of Care NOFA (and any corrections to the Continuum of Care NOFA) on the Grants.gov/Find site.

HUD hopes that the steps that it has taken to provide information early in the FY2008 funding process will be of benefit to you, our applicants and urges applicants to carefully read the instructions provided in the **General Section** and program sections of the NOFA and to apply early so any issues can be addressed prior to the deadline date

Dated: April 15, 2008

Dawn Luepke
General Deputy Assistant Secretary
for Administration

[FR 5200-N-01A]

FAIR HOUSING INITIATIVES PROGRAM

OVERVIEW INFORMATION:

A. **Federal Agency Name:** Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity

B. **Funding Opportunity Title:** Fair Housing Initiatives Program (FHIP)

C. **Announcement Type:** Initial Announcement

D. **Funding Opportunity Number:** The OMB Approval Number is 2529-0033. The Federal Register number for this NOFA is FR-5200-N-11.

E. **Catalog of Federal Domestic Assistance (CFDA) Number(s):** Private Enforcement Initiative (PEI); Education and Outreach Initiative (EOI) 14.408.

F. **Dates:** The application deadline date shall be on or before **July 9, 2008**. Applications must be received and validated by Grants.gov no later than 11:59:59 pm on the application deadline date. Please see the **General Section** of the SuperNOFA (the General Section) published March 19, 2008 (73 FR 14882), for information on electronic deadline and timeliness requirements.

G. Optional, Additional Overview Content Information

1. **Funding Breakdown.** This year there are three initiatives: Private Enforcement, Education and Outreach, and the Fair Housing Organization Initiatives. The following is a breakdown of each Initiative (please see the chart located in Section III.A. of this NOFA for more information on each of these components):

a. Private Enforcement Initiative (PEI)

(1) General Component, and

(2) Performance Based Funding Component

b. Education and Outreach Initiative (EOI)

(1) Regional/Local/Community-Based

(a) General Component

(b) Clinical Law School Component. This Component provides legal practitioners with training in the area of fair housing. Eligible applicants are law schools accredited by the American Bar Association. The component is for the development and implementation of a legal curriculum that relates to fair housing.

(2) National-Based Program: National Media Campaign Component. There are two components under PEI (General and Performance Based Funding Components).three under EOI (General, Clinical Law School, and National Med Campaign Components).

c. Fair Housing Organizations Initiative (FHOI). This initiative is to develop or expand the ability of existing eligible organizations to provide fair housing enforcement and to establish new fair housing enforcement organizations.

Continued Development Component. This component provides funding to QFHOs, FHOS, and Nonprofit groups organizing to build their capacity to provide fair housing enforcement. Only applicants who were sponsored under previous FHOI Establishing New Organizations component grants may apply under the Continued Development Component.

2. **Electronic Applications.** For FY2008, FHIP electronic applications will be available on

http://www.Grants.gov//Fand_grant_opportunities.jsp and

http://www.grants.gov//Apply_for_grants.jsp. For further instructions on electronic application

submission requirements using Grants.gov, please read the **General Section**.

3. **Fair Housing Initiatives Program (FHIP) Funding.** FHIP funds are used to increase compliance with the Fair Housing Act (the Act) and with substantially equivalent State and local

fair housing laws. Approximately \$22,800,000 in FY2008 funds and any potential recapture is allocated to three (3) initiatives as follows:

- a. Private Enforcement Initiative (PEI) \$19,000,000;
- b. Education and Outreach Initiative (EOI) \$2,800,000;
- c. Fair Housing Organizations Initiative (FHOI) \$1,000,000.

4. **Award Agreements.** HUD expects to award a cost reimbursable cooperative agreement or grant agreement to each applicant selected for award. Upon completion of negotiations, HUD reserves the right to use the funding instrument it determines is most appropriate.

5. **Eligible Applicants.** Eligible applicants are Qualified Fair Housing Enforcement Organizations (QFHOs) and Fair Housing Enforcement Organizations (FHOs), see 24 CFR 125.103; public or private, for-profit or not-for-profit organizations or institutions and other public or private entities that are formulating or carrying out programs to prevent or eliminate discriminatory housing practices (including entities that will be established as a result of receiving an award under this FHIP NOFA); agencies of State or local governments; and agencies that participate in the Fair Housing Assistance Program (FHAP). For the EOI National Program, eligible applicants are QFHOs, other fair housing enforcement organizations, and other non-profit organizations representing groups of persons protected under title VIII of the Civil Rights Act of 1968.

6. **Private Enforcement Initiative – Performance-Based Funding Component.**

(a) Applicants awarded PBFC funding in FY 2006 and 2007 are not eligible to submit applications for additional PEI funding for a three-year period based upon the fiscal year in which the grant was awarded.

(b) Applicants awarded funding in FY 2008 under this component will be eligible to

apply for additional PEI funding three fiscal years from the date the grant is awarded, subject to appropriations.

(c) If a grantee's performance is assessed by the HUD Government Technical Representative (GTR) as anything less than "Excellent", then the grantee is both:

(i) prohibited from drawing down funds on their current grant, and

(ii) prohibited from receiving PBFC funding in the second or third grant year if applicable. Applicants selected for funding under the PBFC will be required to submit a Statement of Work (SOW) and a separate budget for each actual year of the agency's activities, for a period of three fiscal years commensurate with the level of funding and based upon appropriations.

7. Start Date. For planning purposes, assume a start date no later than October 19, 2008.

FULL TEXT OF ANNOUNCEMENT

I. Funding Opportunity Description

Authority. Section 561 of the Housing and Community Development Act of 1987, as amended, (42 U.S.C. 3616) established FHIP. The implementing regulations are found at 24 CFR Part 125. If you are interested in applying for funding under the FHIP, please review carefully the General Section of the SuperNOFA (hereafter, the **General Section**), the FHIP Authorizing Statute (Sec. 561 of the Housing and Community Development Act of 1987, as amended), and the FHIP Regulations (24 CFR 125.103-501).

A. FHIP Initiatives and Components

The FHIP assists fair housing activities that increase compliance with the Fair Housing Act and with substantially equivalent fair housing laws administered by State and local government agencies under the Fair Housing Assistance Program (FHAP). Recipients of FHIP

funding are obliged to affirmatively further fair housing. Under the **General Section**, applicants for FHIP funds must address their obligation to affirmatively further fair housing in the application. Applicants must address housing discrimination covered by the Act. Consistent with the Department's FHIP rule at 24 CFR 125.105, applicants must describe practices in the proposed service area that adversely affect the achievement of the goal of fair housing; specify activities to address these adverse practices, to be conducted with FHIP funds including the final product(s) and/or any reports to be produced; and describe the expected long-term results. Applicants will provide this information in their responses to the Rating Factors or by a separate affirmatively furthering fair housing statement.

1. Private Enforcement Initiative (PEI). This Initiative assists private, tax-exempt fair housing enforcement organizations in the investigation and enforcement of alleged violations of the Act and substantially equivalent State and local fair housing laws. There are two components under this Initiative: the General Component and the Performance-Based Funding Component.

2. Education and Outreach Initiative (EOI). This Initiative assists organizations that inform the general public about their rights and obligations under the Act and substantially equivalent State and local fair housing laws. Under this Initiative, there are two programs with a total of three components. They are the EOI - Regional/Local/Community-Based Program (R/L/C-B), General Component and Clinical Law School Component, and the EOI - National-Based Program; National-Media Campaign Component.

EOI applicants are required to describe a referral process that will result in referral of fair housing complaints to HUD or Fair Housing Assistance Program (FHAP) substantially equivalent agencies. If funded, the grantee will be required to develop and implement the complaint referral process referenced in the application.

3. Fair Housing Organization Initiative (FHOI) This component provides funding to QFHOs, FHOs, and nonprofit groups organizing to build their capacity to provide fair housing enforcement. Only applicants who were sponsored under previous FHOI Establishing New Organizations Component grants may apply under the Continued Development Component.

B. Other

1. **Program Definitions.** The definitions that apply to this FHIP section of the NOFA are:

- a. Broad-based proposals are those that address more than one type of housing transaction covered under the Act. Examples of covered housing transactions include the rental, sales, or financing of housing. (See also Full Service Projects below.)
- b. Complainant means any person, including the Assistant Secretary for Fair Housing and Equal Opportunity at HUD, who files a complaint under Section 810 of the Fair Housing Act.
- c. Disability Advocacy Groups means organizations that traditionally have advocated for the civil rights of persons with disabilities. This would include organizations such as Independent Living Centers and cross-disability legal services groups. Such organizations must be experienced in providing services to persons with a broad range of disabilities, including physical, cognitive, and psychiatric/mental disabilities. Such organizations must demonstrate actual involvement of persons with disabilities throughout their activities, including on staff and board levels.
- d. Enforcement proposals are potential complaints under the Act that are timely, jurisdictional, and well-developed, and that could reasonably be expected to become enforcement actions if an impartial investigation found evidence supporting the allegations and the case proceeded to a resolution with HUD or FHAP agency involvement.

- e. Fair Housing Act means Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Amendments Act of 1988 (42 U.S.C. 3600-3620).
- f. Fair Housing Assistance Program (FHAP) agencies as described in 24 CFR 115 mean State and local fair housing enforcement government agencies that receive FHAP funds to administer laws deemed substantially equivalent to the Act.
- g. Fair Housing Enforcement Organization (FHO) means an organization engaged in fair housing activities as defined in 24 CFR 125.103.
- h. Full-service projects must include the following enforcement-related activities in the project application: interviewing potential victims of discrimination; taking complaints; testing; evaluating testing results; conducting preliminary investigations; conducting mediation; enforcing meritorious claims through litigation or referral to administrative enforcement agencies; and disseminating information about fair housing laws.
- i. Grassroots organizations see, **General Section** of the SuperNOFA.
- j. Jurisdiction under the Act is established when the complaint is timely filed; the complainant has standing; the respondent and the dwelling involved (where the complaint involves a provision or denial of a dwelling) is covered by the Act; and the subject matter and the basis of the alleged discrimination constitute illegal practices as defined by the Act.
- k. Meritorious claims means enforcement activities by an organization that resulted in lawsuits, consent decrees, legal settlements, HUD or substantially equivalent agency (under 25 CFR 115.6) conciliations and organization initiated settlements with the outcome of monetary awards for compensatory and/or punitive damages to plaintiffs or complaining parties, or other affirmative relief, including the provision of housing (24 CFR 125.103).

l. Mortgages with unacceptable terms or conditions or resulting from unacceptable practices

means a mortgage or a group or category of mortgages with one or more terms or conditions as specified under **24 CFR Section 81.2**.

m. Operating budget means an organization's total planned budget expenditures from all sources, including the value of in-kind and monetary contributions, in the period for which funding is requested.

n. Qualified Fair Housing Enforcement Organization (QFHO) means an organization engaged in fair housing activities as defined in 24 CFR 125.103.

o. Regional/Local/Community-Based Activities are defined at 24 CFR 125.301(a) and (d).

p. Rural Areas means any of the following:

(1) A non-urban place having fewer than 2,500 inhabitants (within or outside of the metropolitan areas).

(2) A county or parish with an urban population of 20,000 or fewer inhabitants or less.

(3) Territory, including its persons and housing units, in rural portions of "extended cities." The Census Bureau identifies the rural portions of extended cities.

(4) Open country that is not part of or associated with an urban area. The USDA describes "open country" as a site separated by open space from any adjacent densely populated urban area. Open space includes undeveloped land, agricultural land, or sparsely settled areas, but does not include physical barriers (such as rivers and canals), public parks, commercial and industrial developments, small areas reserved for recreational purposes, or open space set aside for future development.

(5) Any place with a population not in excess of 20,000 and not located in a Metropolitan Statistical Area.

q. Statement of Work (SOW) means a document that accurately reflects all the tasks necessary to do the work, all the steps needed for good management control and specificity regarding work to be done and deliverables, and that provides a basis for mutual understanding of the requirements and tasks.

r. Technical Evaluation Panel (TEP) means a panel whose mission is to accomplish sound, impartial and comprehensive evaluation of proposals consistent with the guidelines of the Notice of Funding Availability.

s. Traditional Civil Rights Organizations mean non-profit organizations or institutions and/or private entities with a history and primary mission of securing Federal civil rights protection for groups and individuals protected under the Act or substantially equivalent State or local laws and that are engaged in programs to reduce discriminatory housing practices.

t. Underserved Areas mean jurisdictions where there are no Fair Housing Initiatives Program or Fair Housing Assistance Program agencies and where either no public or private fair housing enforcement organizations exist or the jurisdiction is not sufficiently served by one or more public or private enforcement fair housing organizations and there is a need for service.

u. Underserved Populations mean groups of individuals who fall within one or more of the categories protected under the Act and who are:

(1) of an immigrant population (especially racial and ethnic minorities who are no English-speaking or limited English proficient);

(2) in rural populations,

(3) the homeless,

(4) persons with disabilities (e.g., physical or mental) who can be historically documented

to have been subject to discriminatory practices not having been the focus of Federal, State or local fair housing enforcement efforts, or

(5) persons in areas that are heavily impacted with minorities and there is inadequate protection and ability to provide service from the State or local government or private fair housing organizations.

II. Award Information

For Fiscal Year 2008, \$24,000,000 is appropriated for the Fair Housing Initiatives Program (FHIP). This appropriated amount may be supplemented by recaptured FHIP funds awarded in previous years. Of this amount, approximately \$22,800,000 is being made available on a competitive basis to eligible organizations responding to this FHIP NOFA. See the chart in Section III.A. for a program breakdown by Initiative/Component, eligible applicant, funding, and project period.

A. Award Instrument. The type of funding instrument HUD may offer a successful applicant which sets forth the relationship between HUD and the awardee will be a grant or cooperative agreement, where the principal purpose is the transfer of funds, property, services, or anything of value to the awardee to accomplish an eligible public purpose. The agreement will identify the eligible activities to be undertaken, financial controls, and special conditions, including sanctions for violations of the agreement. HUD will determine the type of instrument under which the award will be made and monitor progress to ensure that the grantee has achieved the objectives set out in the agreement. Failure to meet such objectives may be the basis for HUD determining the awardee to be in default of the grant or cooperative agreement and exercising available sanctions, including suspension, termination, and/or the recapture of funds. Also, HUD may

refer violations or suspected violations to enforcement offices within HUD, the Department of Justice, or other enforcement authorities.

If funds are awarded as a Cooperative Agreement, HUD will also exercise the right to have substantial involvement by conducting quarterly reviews and approval of all proposed deliverables documented in the applicant’s Work Plan or Statement of Work (SOW), and determining whether the agency meets all certification and assurance requirements. HUD will conduct this performance assessment, in part, by using the Logic Model (HUD-96010) submitted by the applicant and approved by HUD in the award agreement (Rating Factor 5). If upon completion of this assessment by the Government Technical Representative (GTR) a determination is made that the quarterly requirements have not been met, the grantee will be obligated to provide additional information or make modifications to its work plan and activities, as necessary, in a timeframe to be established by the GTR.

B. Project Starting Period. For planning purposes, assume a start date no later than October 19, 2008.

III. Eligibility Information

A. Eligible Applicants and Activities

The following chart details each FHIP Initiative/Component and the approximate Funding

Available along with Eligible Applicants and Activities:

Initiative/Component	Allocation Amount Available	Applicant Eligibility	Project Period	Award Caps	Applicant Eligible Activities
<u>Private Enforcement Initiative (PEI) - General Component:</u> Assists private, tax-exempt fair housing	\$4,000,000	Fair Housing Enforcement Organizations (FHOs) with at least one year of	12-18 months	\$275,000	Eligible activities include: (1) Complaint intake of allegations of housing

Initiative/Component	Allocation Amount Available	Applicant Eligibility	Project Period	Award Caps	Applicant Eligible Activities
<p>enforcement organizations in the investigation and enforcement of alleged violations of the Fair Housing Act and substantially equivalent State and local fair housing laws</p>		<p>experience in complaint intake, complaint investigation, testing for fair housing violations, and meritorious claims in the two years prior to the filing of the application (24 CFR 125.401(b)(2) and Qualified Fair Housing Enforcement Organizations (QFHOs) with at least two years of enforcement related experience as noted above, and meritorious claims in the three years prior to filing this application (24 CFR 125.103)</p>			<p>discrimination, testing, evaluating testing results, or providing other investigative and complaint support for administrative and judicial enforcement of fair housing laws; (2) Investigation of individual complaints and systemic housing discrimination for further enforcement processing by HUD through testing and other investigative methods; (3) Mediation or other voluntary resolution of allegations of fair housing discrimination after a complaint has been filed; and (4) litigating fair housing cases including procuring expert witnesses.</p>

Initiative/Component	Allocation Amount Available	Applicant Eligibility	Project Period	Award Caps	Applicant Eligible Activities
<p><u>Private Enforcement Initiative (PEI) - Performance Based Funding Component (PBFC):</u> Assists private, tax-exempt fair housing enforcement organizations in the investigation and enforcement of alleged violations of the Fair Housing Act and substantially equivalent State and local fair housing laws</p>	\$15,000,000	<p>QFHOs (with at least two years of enforcement related experience) who have (1) received excellent performance reviews for FHIP PEI awards made in two FYs (FY pertains to the year for which the funding was appropriated) beginning with FY 2002 through FY 2006; and (2) have received a minimum score of 95 on the most recent of the two of these performance reviews by the FHEO Government Technical Representative.</p>	36 months	<p>\$275,000 per year for a three-year duration, based upon appropriations.</p> <p>Eligible PBFC applicants must receive a minimum score of 95 from the FY '08 Technical Evaluation Panel (TEP) to be considered for funding.</p>	For a list of eligible activities see PEI activities above.

Initiative/Component	Allocation Amount Available	Applicant Eligibility	Project Period	Award Caps	Applicant Eligible Activities
<p><u>Education and Outreach Initiative (EOI)- General Component:</u> Open to applicants for fair housing education and outreach activities. Applicants may also address the fair housing needs of persons with disabilities, the education of consumers about fair housing, financial literacy, credit management, and how to avoid high cost loans and abusive lending practices that violate the Fair Housing Act</p>	\$1,300,000	<p>QFHOs, FHOs, public or private for profit or not for profit organizations or institutions, or other public or private entities that carry out programs to prevent or eliminate discriminatory practices. This includes agencies of State or local governments and agencies that participate in the Fair housing Assistance Program (FHAP). See FHIP NOFA-Eligibility information.</p>	12-18 months	\$100,000	<p>Eligible activities may include, but are not limited to conducting educational symposia or other training; developing innovative fair housing activities or materials into languages applicable to your community throughout your project area; providing outreach and information on fair housing through printed and electronic media; developing and distributing FH brochures, PSAs for radio, television, and newspaper advertisements.</p>
<p><u>Education and Outreach Initiative (EOI) Clinical Law School Component:</u> Applications are solicited for this component to organize and operate a fair housing legal-clinical education program that will benefit the public by producing well-</p>	\$500,000	<p>Applicants accredited by the American Bar Association.</p>	12 months	\$500,000	<p>In addition to the above, activities must include the following: developing curricula and conducting training, seminars, conferences and /or, symposia for students, clinicians and lawyers on fair</p>

Initiative/Component	Allocation Amount Available	Applicant Eligibility	Project Period	Award Caps	Applicant Eligible Activities
trained clinicians and lawyers who are capable of educating and informing the public on fair housing rights and obligations.					housing rights and obligations.
<u>Education and Outreach Initiative (EOI) –National-Based Program— National Media Campaign Component:</u> Applicants must provide a centralized coordination effort for the development, implementation, and distribution of a fair housing media campaign with emphasis on a fair housing public service announcement.	\$1,000,000	QFHOs, other fair housing enforcement organizations, and other non-profit organizations representing groups of persons protected by under title VIII of the Civil Rights Act of 1968.	12 months	\$1,000,000	Eligible activities may include seminars, conferences, symposia, developing and distributing brochures, PSAs, and radio, television and newspaper advertisements (in various languages). The above activities must be conducted on a national level.
<u>Fair Housing Organizations Initiative (FHOI)— Continued Development Component</u>	\$1,000,000	QFHOs, FHOs and Nonprofit groups organizing to build capacity to provide fair housing enforcement. Only applicants who were sponsored under previous FHOI Establishing New Organizations Component grants may apply under the Continued Development Component.	12 months	\$100,000 to \$150,000 based on Need, Extent of the Problem, and Budget Requirements	See PEI above.

Eligibility of Successor Organizations for PEI. HUD recognizes that QFHOs and FHOs may either merge with each other or other organizations. The merger of a QFHO or an FHO with a new organization that has a separate Employer Identification Number (EIN) does not confer QFHO or FHO status upon the successor organization. To determine whether the successor organization meets eligibility requirements for this Initiative, HUD will look at the enforcement-related experience of the successor organization (based upon the successor organization's EIN). The successor organization must establish in its application that it is a private, tax-exempt organization with the requisite two years of enforcement related experience for a QFHO or one year experience for an FHO to be eligible to apply under the PEI Initiative.

B. Cost Sharing or Matching. No matching funds are required for the Education and Outreach, Private Enforcement, or Fair Housing Organizations Initiatives.

C. Other

1. Threshold Requirements

Program Requirements for All Initiatives. In addition to the civil rights and other threshold requirements found in Section III of the General Section, FHIP program applications must also meet the following requirements:

a. Protected Classes. All FHIP-funded projects must address housing discrimination based upon race, color, religion, sex, disability, familial status, and/or national origin. All services and activities must be available to the protected class members.

b. Tax Exempt Status. Applicants for the PEI Initiative must be a 501(c)(3) tax-exempt organization as determined by the Internal Revenue Service (IRS) prior to the application

deadline date to be eligible for funding. Please provide an IRS report showing 501(c)(3) status.

c. Name Check Review. See the **General Section**.

d. Poor Performance. Applicants are ineligible for funding if they are previous FHIP grantees that have received a “Poor” performance rating for their most recent performance rating by the Government Technical Representative (GTR). HUD will assess performance ratings for applicants who have received FHIP funding in grant years 2004 through 2006. If the applicant has received a “Poor” performance rating for its most recent performance rating by the GTR, the application is then ineligible for the FY2008 competition. An applicant that disagrees with its determination of ineligibility for the FY2008 competition because of a “Poor” performance rating must adequately address the factors resulting in the “Poor” performance rating to HUD’s satisfaction before the FHIP application deadline date. If the “Poor” performance rating is not resolved to the Department’s satisfaction before the application deadline date, the applicant is ineligible to apply for the FY2008 FHIP NOFA competition. HUD is interested in improving the performance of all grantees; therefore, applicants who are deemed ineligible because of a “Poor” performance rating have the right and are encouraged to seek HUD technical assistance to improve their performance to be eligible for future NOFA competitions. Applicants who received a “Poor” performance rating prior to FY2004 must provide written documentation that they have implemented remedies to address those identified issues and concerns that contributed to this “Poor” performance rating. This written documentation should be an addendum to the Abstract.

- e. Suits Against the United States. An application is ineligible for funding if, as a current or past recipient of FHIP funds, the organization used any funds provided by HUD for the payment of expenses in connection with litigation against the United States (24 CFR 125.104(f)).
- f. Other Litigation. An application is ineligible for funding if the organization used funds provided by HUD under this Program to settle a claim, satisfy a judgment, or fulfill a court order in any defensive litigation (42 U.S.C. 3616 note Sec. 561 (i)).
- g. Maximum award. Applicants are ineligible for funding if they have requested funding in excess of the maximum amount allowed under the Initiative or Component for which they applied. In addition, inconsistencies in the requested amount and/or miscalculations that result in amounts over the maximum award amounts will be considered excessive; therefore the application will be considered ineligible.
- h. Dun and Bradstreet Numbering System (DUNS) Numbering Requirement. Refer to the **General Section** for information regarding the DUNS requirement. You will need a DUNS number to complete your electronic application because it is a mandatory field on the electronic application. The Grants.gov registration also requires use of the DUNS number.
- i. Majority of Eligible Activities. Greater than 80 percent of the activities and costs within the Statement of Work (SOW) and budget **must be** fair housing related activities.
- j. Fair Housing Assistance Program (FHAP). FHAP agencies under a suspension based on agency performance, as designated under 24 CFR Part 115.211(b) at time of application are ineligible for funding.

k. Minimum Technical Evaluation Panel (TEP) Score. HUD convenes a Technical Evaluation Panel (TEP) to review applications against the Rating Factors in this NOFA to determine a score. Applicants must receive a minimum TEP score of 75 to be considered for funding except for the PEI Performance Based Funding Component where a minimum score of 95 is necessary to be considered for funding.

l. Application Preference. Applicants may submit multiple applications to the FHIP NOFA. For those who submit multiple applications you may receive only one award. Grantees who received previous PEI-PBFC awards that are current are not eligible to receive other FHIP funds.

m. Independence of Awards. The application submitted must be independent and capable of being implemented without reliance on the selection of other applications. Applicants applying under the Education and Outreach Initiative may not use the performance (e.g., performance review rating or successfully completed activities) of another EOI organization to meet the requirements of Rating Factor 1.

n. Training funds. The proposed budget must set aside funds in the amount of \$7,000 for EOI PEI and FHOI components and \$7,000 annually for a 36-month duration for PBFC to participate in HUD mandatory sponsored or approved training.

Do not specify amounts over \$7,000 for training set-aside in this category. If an applicant has not included this funds allocation in the budget and the applicant is selected for an award, HUD will modify the applicant's budget, reallocating the appropriate amount for training.

o. Accessibility Requirements. All activities, facilities, and materials funded by this program must be accessible to and visitable by persons with disabilities (24 CFR 8.2, 8.4,

8.6, and 8.54). See **General Section** for definition of “visitable” or HUD’s website at www.concretechange.org.

p. Fair Housing Act. Applicants are expected to address housing discrimination covered under the Act. HUD is determined to ensure equal opportunity and access to housing in communities across the nation.

q. Research Activities. Applicants are ineligible for funding if between 90-100 percent of their project is aimed at research.

r. Limited English Proficiency (LEP). Successful applicants must ensure that their programs do not exclude persons on the basis of race, color, and national origin under Title VI of the Civil Rights Act. This may mean providing language assistance services for persons with limited English Proficiency on the basis of their nationality. The Department published Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (72 FR 2732), published in the January 22, 2007 Federal Register, to assist recipients in identifying language assistance needs and developing language assistance strategies.

s. OMB Circular. For-profit awardees are not allowed to earn a profit and must adhere to OMB Circular A-133.

t. Single Audit Requirement. All applicants who have expended \$500,000 or more in Federal financial assistance within a single year (this can be a program or fiscal year) must be audited in accordance with the OMBA-133 requirements as established in 24 CFR Part 84 and 24 CFR Part 85.

u. Reimbursement Requirement. PEI and FHOI grantees are required to reimburse the Federal government the amount of the grant from all settlements, conciliations, and agreements reached as a result of their use of FHIP funds. The grantees however may choose to use the funds as program income to further fair housing activities rather than returning these funds to HUD. Using these funds for this purpose must be pre-approved in writing by the Government Technical Representative assigned to the grant.

v. Clinical Law School Component. To be eligible under this Component, an institution must be:

(1) recognized by the American Bar Association as having an accredited law school;

(2) legally authorized by the State where it is located to provide a bachelor's degree program and a law degree program;

w. National Based Program – National Media Campaign Component. Applicants as their primary purpose must provide advertising and media services, and must have at least five years of experience as an advertisement/media or public relations organization. In addition, an applicant must include as part of its application proposal a subcontract with an established qualified fair housing enforcement organization or be a qualified fair housing enforcement organization. Applicants will be ineligible if they fail to meet these requirements. Applicants should also address Limited English Proficiency within their applications.

x. Fair Housing Organizations Initiative – Continued Development Component. This component provides funding to QFHOs, FHOs, and Nonprofit groups organizing to build their capacity to provide fair housing enforcement. Only applicants, who were sponsored

under previous FHOI-Establishing New Organizations Components (ENOC) grants, prior to FY2005, may apply under the Continued Development Component.

y. Fair Housing Organizations Initiative - ENOC grantees are required to complete three years of grant experience, starting from the date the grant agreement is executed, before receiving any other FHIP funding.

2. Other Program Requirements by Initiative. Under the PBFC in FY2008, applicants must receive a minimum TEP score of 95 to be considered for funding.

3. Performance Measures and Products. For all Initiatives and Components.

Applicants must submit in their application a Logic Model (Form HUD 96010), which provides outputs and outcomes. Applicants are also to identify the tools they will use to identify program progress against their proposed outputs and outcomes. See reporting requirements for using the Logic Model and the frequency of the reporting. The form is located in the Instruction Download at http://www.grants.gov/applicants/apply_for_grants.jsp for the FHIP. An example of a completed Logic Model is included in this NOFA. The eLogic Model form is a Microsoft Excel™ form, which provides a drop down list from which the applicant selects the responses that best fits their proposed program of activities/outputs and outcomes. The form, in HTML fillable format and a text Logic Model Master file, is available on the website at http://www.grants.gov/applicants/apply_for_grants.jsp for applicants that do not have access to Microsoft Excel™. Training will be provided by satellite broadcast and webcast. The training materials and schedule will be available at the above HUD website. Applicants should check the website for dates and times for HUD training on the Logic Model.

4. **Testing Requirements for PEI and FHOI applicants.** All applicants that propose testing must review the FHIP Regulation at 24 CFR 125.10 and address these requirements in their application.

a. Review and Approval of Testing Methodology. If your application proposes testing, other than rental housing testing, HUD may require you to submit copies of the following documents to HUD reviewed and approval prior to you carrying out the testing activities.

- (1) The testing methodology to be used;
- (2) The training materials to be provided for testing; and
- (3) Other forms, protocols, cover letters, etc., used in the conduct of testing and reporting of results.

If HUD approved your testing methodology for FY2006 and FY2007, you do not need to resubmit your testing methodology, unless your methodology approved by HUD is being revised. If changes are being considered or you have not had your testing methodology previously approved by HUD, you must submit a request for approval in your application.

b. Retainer Fees. FHIP recipients are under specific restrictions regarding establishment of retainer agreements and recovery of legal fees from HUD funded cases. Data on fees, settlements, and verdicts are matters of public record. Awardees must provide this information to HUD on an annual basis. Neither the grantee nor the individual(s) on whose behalf any action is filed can request to HUD to waive these provisions

IV. Application and Submission Information

A. Obtaining an Application. This section describes how you may obtain application forms and additional information about the FHIP. Copies of the published **General**

Section, FHIP NOFA and application forms may be downloaded from the Grants.gov website at <http://www.grants.gov> or if you have difficulty accessing the information you may receive customer support from Grants.gov by calling their help line at (800) 518-GRANTS or sending an email to support@grants.gov. If you do not have internet access and you need to obtain a copy of the NOFA you may contact HUD's NOFA Information Center toll-free at (800) HUD-8929. Persons with hearing or speech impairments may access the Information Center by calling the Federal Information Relay Service at (800) 877-8339.

B. Content and Form of Application Submission

All applicants must read and adhere to Initiative-specific submission requirements. Applicants are encouraged to review the chart entitled "Summary of Initiatives/Components." To submit documents using the facsimile method, see the **General Section** for specific procedures governing facsimile submission.

1. For All Applicants. The maximum length of the narrative response is ten (10) pages per factor. The narrative pages must be double-spaced. This includes all text, titles and headings. (However, you may single space footnotes, quotations, references, captions, charts, forms, tables, figures and graphs.) You are required to use 12-point font. You must respond fully to each rating factor to obtain maximum points. Failure to provide narrative responses to all factors other than factor five or omitting requested information will result in less than the maximum points available for the given rating factor or sub-factor. Failure to provide double-spaced, 12-point font narrative responses will result in five points being deducted from your overall score.
2. The chart below gives a brief description of all items to be included in the application:

Complete Application Package Contains	Required Form and Content
Application for Federal Assistance	Form SF-424; (per required form)
Survey for Ensuring Equal Opportunity for Applicants	SF –424 Supplement (“Faith Based EEO Survey (SF-424 SUPP)” on Grants.gov); (per required form)
Budget information	Form SF-424CB and SF-424-CBW)(“HUD Detailed Budget Form and Worksheet” on Grants.gov); (per required form)
Disclosure of Lobbying Activities	SF-LLL, if applicable; (per required form)
Applicant-Recipient Disclosure Update Report	HUD-2880 (“HUD Applicant Recipient Disclosure Report” on Grants.gov); (per required form)
Certification of Consistency with RC/EZ/EC-II’s Strategic Plan	HUD-2990; (per required form)
Acknowledgement of Applicant receipt (Required only if you are granted waiver to the electronic application requirement)	HUD-2993; (per required form)
You are our client grant application survey (optional)	HUD-2994-A; (per required form)
Program Outcome Logic Model	HUD-96010; (per required form)
Third Party Documentation Facsimile Transmittal	HUD-96011 (“Facsimile Transmittal Form” on Grants.gov); (per required form)
Race and Ethnic Data Reporting Form	HUD-27061
Narrative for Rating Factors 1-4	HUD-27300 (“HUD Communities Initiative Form” on Grants.gov); (per required form)
Statement of Work	Format described in Section IV.B of this announcement; Described in Section IV.B. of this announcement
Narrative Budget Work Plan	Format described in Section V. A. 3.b of this announcement.
Commitment letters from third parties contributing funds or in-kind resources	Format describes in Section V.A.3.c of this announcement.
Affirmatively Furthering Fair Housing Statement	No specific form or format, but content is specified under Rating Factor 4; Third parties’ affirmations of amounts of their commitments
Addendum to Abstract -- Correction of Poor Performance (as appropriate)	Short summary of how the applicant will address their obligation to affirmatively further fair housing. No specific form or format.
Project Abstract	Written documentation that performance issues and concerns have been cured. No specific form or format.
	Short summary of project activities, areas of concentration and persons to be served. Amount requested and preference for funding, as applicable. No specific form or format.

C. Submission Dates and Times. Applications must be received and validated by http://www.grants.gov/applicants/apply_for_grants.jsp no later than 11:59.59 PM Eastern Time on the application deadline date of **July 9, 2008** to be considered timely filed. Validation may take up to 72 hours; therefore, confirmation of receipt of your application by Grants.gov is not a validation that your application was complete and acceptable to HUD. Grants.gov will also reject applications that do not meet the submission deadline requirement. See the **General Section** for further details.

D. Intergovernmental Review. Intergovernmental Review is not applicable to this program.

E. Funding Restrictions

1. PEI and FHOI Limitations for Education & Outreach –There is a 10 percent limit on the dollar amount allowed for education and outreach related activities that can be funded in an enforcement award. If you exceed the limit, points will be deducted in the rating process and if awarded, funds will be adjusted to maintain the required limitation.

2. Administrative Costs. Eligible administrative costs include leases for office space, under the following conditions:

- (1) The lease must be for facilities not requiring rehabilitation or construction;
- (2) No repairs or renovations of the property may be undertaken with Federal funds; and
- (3) Properties in the Coastal Barrier Resource System designated under the Coastal Barrier Resources Act (16 U.S.C. 3501) cannot be leased with Federal funds.

F. Other Submission Requirements. Electronic delivery via http://www.grants.gov/applicants/apply_for_grants.jsp is HUD's required method for application submission. Applicants interested in applying for FHIP funding must submit their applications electronically or request a waiver from the Assistant Secretary of FHEO. The request must state the basis for the waiver. HUD's regulation on waivers, found in 24 CFR part 5, states that waivers can be granted for cause. Applicants must submit their waiver requests, in writing at least 15 days prior to the application deadline, to Ms. Kim Kendrick, Assistant Secretary for Fair Housing and Equal Opportunity, 451 7th Street, SW; Room 5100, Washington, DC, 20410. A copy of all waiver requests must simultaneously be submitted to Myron P. Newry, Director, FHEO-FHIP Support Division, (same address as above), Room 5226, or by email to Myron.P.Newry@hud.gov. If granted a waiver, the notification will provide instructions on where to submit the application and how many copies are required. HUD will not accept a paper application without a waiver being granted. If you receive a waiver of the electronic application submission requirement, your application must be received by HUD no later than 11:59:59 PM on **July 9, 2008**, the application submission deadline date.

V. Application Review Information

A. Criteria for PEI, EOI, and FHOI applications (other than the National Based Program) and FHOI applications. The criteria for rating and ranking applications, as well as the maximum points for each Rating Factor, are provided below. The maximum

number of points awarded any application is 100. An additional two Bonus Points may apply (See **General Section**).

1. Rating Factor 1: Capacity of Applicant and Relevant Organizational Experience
(25 Points).

You must describe staff expertise and your organization's ability to complete the proposed activities within the grant period. If you are a current FHIP grantee and you received a "Fair" performance rating on your current FHIP grant, you will receive "0" points under this factor for subfactors (b) and (c).

In General. You must describe your staffing plan and the extent to which you plan to add staff (employees) or contractors. If your application proposes using contractors and these subcontractor activities amount to more than 10 percent of your total activities, you must submit a separate budget for each subcontractor. Failure to include a separate budget will result in your application receiving lower points.

a. Number and expertise of staff (this includes contractors and consultants). (5) Points for current FHIP grantees, (10) Points for New Applicants. You must provide a complete summary of staff expertise that will show sufficient, qualified staff that will be available to complete the proposed activities. This summary should include: Names of staff person(s), amount of time each will spend on project, number of years of fair housing/civil rights experience for each person, titles of staff persons, and a brief paragraph on each staff member which outlines his or her experience. Do not include resumes or other lengthy or detailed documents. Applicants who submit resumes or other lengthy documents relating to staff experience will have points deducted from their application when the ten-page per rating factor submission requirement limit is exceeded.

For PEI and FHOI Only: To receive maximum points for PEI and FHOI, your day-to-day program manager must devote a minimum of 75 percent of his/her time to this project. This individual must be located in the metropolitan area where the project will be carried out. This information must be included in the response to this Factor. PEI and FHOI applicants whose day-to-day managers do not have at least 75 percent of their time dedicated to the project, will be awarded no points under this sub-factor. You may not designate more than one person to meet this 75 percent criterion. Your application must also clearly identify those persons that are staff at the time this submission, and those persons who will be assigned at a later date. Indicate whether the staff person is assigned to work full-time or part-time (if part-time, indicate the percentage of time each person will devote to the project). EOI applicants must devote at least 50% of their time to the project.

If you are applying for the EOI-Clinical Law School Component, you must:

(1) Show that you will have sufficient, qualified staff or faculty who will be available to initiate and develop a clinical law curriculum. Applicants may show experience by including information on the development and implementation of other curriculum and/or training in areas such as fair housing. Please provide a copy of a curriculum implementation plan, if available, and/or information on developing a curriculum.

(2) Have experience in recruitment of law students (submit a projection of the number of students expected to participate in and complete the program), marketing (submit a plan to promote the fair housing curriculum and clinical law program), and fair housing;

(3) Implement the curriculum design with an ABA-accredited law school; and

(4) Partnering under the Clinical Law School Component. Please provide a brief description of the activities that each partner will undertake and how this partnership will enhance the project. (Please refer to Participation of Minority-Serving Institutions in HUD Programs in the **General Section**.)

(a) You must identify all administrators of the clinical program and describe each of their functions, qualifications, and experience;

(b) Identify persons who will constitute the faculty for the program and describe their functions, qualifications, and experience; and

(c) Identify and describe the functions and qualifications of any other program staff.

(5) Describe the knowledge and experience of the proposed day-to-day program manager (whose duties and responsibilities include managing all program and administrative activities as outlined in the SOW and ensuring that all timelines are met), in planning and managing a fair housing legal-clinical program. Indicate the percentage of time that key personnel will devote to your project.

b. Organizational experience. (15) Points for current FHIP grantees; (15) Points for new applicants. In responding to this sub-factor, you, the applicant, must show that your organization has:

(1) conducted past project(s) similar in scope and complexity (whether FHIP-funded or not) to the project proposed in your application, or

(2) engaged in activities that, although not similar, are readily transferable to the proposed project. You must provide a listing of all affiliate and/or subsidiary organizations, and identify which of these organizations will assist you in the development and/or implementation of any portion of your proposed FY2008 FHIP funded project. If you do not have any affiliates or subsidiaries, you should state this in your application.

(a) If you are applying for funding under PEI and FHOI, you must provide the following information when responding to this sub-factor:

(i) If you propose to conduct testing (other than rental or accessibility testing), provide a brief narrative that documents you have conducted successful testing in those areas.

(ii) Describe the actions you have taken to comply with the requirement that you reimburse the Federal government for compensation received or likely to be received from FHIP-funded enforcement activities or that the compensation received be used as program income to further fair housing activities. If you are a current grantee and you have not addressed this requirement to reimburse the Federal government or use the funds as program income to further fair housing activities, please explain. Two (2) points will be deducted from this sub-factor if you have not complied with this program requirement.

(b) EOI applicants must show that they have engaged in projects that are Regional/Local/Community-based. Your experience will be judged in terms of recent, relevant and successful experience of your staff to undertake eligible activities. In rating this factor, HUD will consider experience within the last three years to be recent,

experience pertaining to the specific activities to be relevant, and experience producing measurable accomplishments to be successful. The more recent the experience and the more experience that your own staff members who work on the project have in successfully conducting and completing similar activities, the greater the number of points you will receive for this rating factor.

(c) If you are submitting an application under the EOI – Clinical Law School Component, you must develop a comprehensive design concept Action Plan for the Clinical Law School. The Action Plan must include a design concept and academic structure approach that HUD will use in assessing your capacity to develop and operate a Fair Housing Legal-Clinical Program. The Action Plan should clearly distinguish classroom and practicum elements.

To assess your capacity to design and implement a fair housing curriculum, please provide documented information that your organization has conducted clinical project(s) similar in scope and complexity to the one being proposed. You must describe the knowledge and experience of all of the proposed faculty and staff dedicated to this FHIP funded activity indicating whether they have prior knowledge and experience in establishing and implementing a similar clinical law project.

For FHOI -- CDC applicants, you must describe your FHOI-ENOC history, e.g. identify the funded entity and their support, and how FHOI-ENOC funds were used to build your capacity or establish your organization. Also describe how you benefited from FHOI-ENOC funds and give a description of your fair housing investigative and enforcement activities undertaken as a result of the FHOI-ENOC.

c. Performance on past project(s). (5) Points for current FHIP grantees; (0) Points for new applicants. HUD will assess your organization's past performance in conducting activities relevant to your application. The past performance assessment of current FHIP grantees will be based on your most recent performance assessment by the HUD Government Technical Representative (GTR) for the past three (3) completed fiscal years (FY2004 through FY2006).

HUD staff will provide this information to the Technical Evaluation Panel (TEP) that will evaluate your application. Based on your past performance, the following points will be added to your score under this rating sub-factor:

- (1) 5 points if you received a "Excellent" performance assessment; and
- (2) 0 points if you received a "Good" performance assessment.

Transfer of Performance. Applicants submitting applications under PEI and EOI may not use another organization's performance review for assessment under this sub-factor. If you do, you will receive 0 points under this sub-factor and sub-factor b, above.

2. Rating Factor 2: Need/Distress/Extent of the Problem (20 Points).

This factor addresses the extent to which there is a need for funding the proposed activities to address documented fair housing problems in target area(s). You will be evaluated on the information that you submit that describes the fair housing need in the geographic area you propose to serve, its urgency and how your project is responsive to that need, and your affirmatively furthering fair housing plan.

Applicants should document and use any relevant information from HUD's Housing Discrimination Study 2000 (HDS2000) to respond to this factor. Other sources of information can be used to support this rating factor. You must use sound data sources

to identify the level of need in the geographic area and the urgency, and provide website addresses for each data source (e.g., Analysis of Impediments to Fair Housing Choice (AI), fair housing studies, etc.). Do not include copies of the original reports or other materials in your application. Applicants that provide copies of detailed studies, including Consolidated Plans (including Analysis of Impediments) for their referenced project area will have points deducted from this factor based upon the 10 page submission requirement limit. Instead, reference these reports, statistics, or other data sources you used that are sound and reliable. This includes but is not limited to, HUD or other Federal, State or local government reports analyses, relevant economic and/or demographic data. This should be inclusive of those that show segregation, foundation reports and studies, news articles, and other information that relate to the identified need. Provide the website where these reports may be found for reference, if applicable. Chapter V of the Fair Housing Planning Guide, Vol. 1 has other suggestions for supporting documentation. You may access the Guide from the HUD website at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

To the greatest extent possible, the data used should be specific to the area where the proposed activity will be conducted. You should document needs as they apply to that specific area(s) where you proposed activities will be targeted and your proximity to the target area, not the entire locality or State. If the data presented does not specifically address the target area, you should describe why the target area was proposed and the relationship of this data to that target area.

To receive maximum points for this factor there must be a direct relationship between the purpose of the program funding, your proposed activities, the outcomes to be

accomplished, and the community(ies) fair housing needs, describing your knowledge of and your proximity to the targeted area, and the issue's urgency. Applicants will not receive full 20 points under this rating factor unless the applicant addresses the target area's impediments to fair housing choice. Further, applicants should address the need for language services other than English by describing the target population's language needs.

a. Documentation of Need. To justify the need for your project, you must describe:

(1) The urgency of the identified need. For example:

(a) The potential consequences to persons if your application is not selected for funding;

(b) The extent to which other organizations provide the services identified in your application;

(2) The link between the need and your proposed activities:

(a) How the proposed activities fill gaps left by, augment, or improve upon on-going fair housing efforts by public and private agencies, grass-roots faith-based and other community-based organizations and other organizations and institutions in the target area, and/or

(b) Why, in light of other on-going fair housing efforts, the additional funding you are requesting is necessary.

(c) The presence of housing discrimination, high segregation indices or other evidence of discrimination prohibited by the Act within the project area.

3. Rating Factor 3: Soundness of Approach (35 Points)

You must describe your project in detail and how it will support the goals and policy priorities outlined in the **General Section**. For each goal and policy priority that your project addresses, you must propose performance measures/outcomes in support of these goals, and establish numerical baselines and targets for those measures. Provide a SOW and budget.

a. Support of Policy Priorities (8 Points). Per Section V. B. 1. of the **General Section**, HUD encourages applicants to undertake specific activities that will assist the Department in implementing its policy priorities and achieving its goals for FY2008 and beyond, when the majority of funding recipients will be reporting programmatic results and achievements. Applicants that just list a priority will receive no points. It is up to the applicant to determine which of the policy priorities to address to receive the available points. For the full list of each policy priority, please refer to the **General Section**.

For each policy priority addressed specified, the applicant must discuss the geographic area to be served in relation to the project's purpose, the persons to be served, and the methodology for carrying out these activities. Each policy priority the application addresses may receive has a point value of up to one point, with the exception that of the policy priority to remove regulatory barriers to affordable housing which has a point value of up to 2 points. To secure the possible 2 points for efforts to remove regulatory barriers to affordable housing, an applicant must submit the completed questionnaire (HUD 27300), and provide the required documentation and contact information. Please see the **General Section** for further information on Removal of Regulatory Barriers to Affordable Housing.

For the Clinical Law School Component, applicants may receive up to 5 points for partnering with a Minority Serving Institution. Please see the **General Section** for a listing of Minority Serving. For applicants submitting applications under the Clinical Law School Component that are Minority Serving Institutions, you may receive up to 5 points for partnering with a non-Minority Serving Institution.

For EOI applicants only, the policy priority to promote participation by grassroots faith-based and other community-based organizations, or partnering with an organization to promote participation in grassroots faith-based and other community-based organizations has a point value of up to four points, depending on your response.

b. Proposed Statement of Work (SOW) and Information Requirements (17 Points). The SOW and budget are attachments to the application that will not count toward the ten (10)-page limit on the narrative response to this rating factor. However, points will be given based on the relevance of proposed activities and expenditures (cost categories and dollar levels) to the needs stated in Rating Factor 2. The TEP will pay particular attention to implementation steps, the consistency of proposed activities with organizational expertise and capacity, and the accuracy of the SOW and budget.

SOW - Submit a proposed SOW that comprehensively outlines in chronological order the administrative and program activities and tasks to be performed during the grant period.

Your outline should identify all activities and tasks to be performed and by whom (e.g., your organization, a subcontractor, or a partner), and the products, and when they will be provided to HUD. To receive maximum points, you must include a schedule of your activities and products (with interim implementation steps), staff allocation over the

term of the project; staff acquisition and training; and activities of partners and/or subcontractors. Applicants must provide an estimate of the numbers of clients to be served.

For the EOI General Component, HUD anticipates that products may be available in various languages, in addition to English: The languages will include French, Korean, Laotian, Vietnamese, Chinese (any Chinese language), Arabic, and Spanish. If other languages are necessary, please provide a justification in Rating Factor 2. Deliverables may be brochures, Public Service Announcements (PSAs) for radio in both majority and minority markets and posters and other graphic materials. Graphic materials may include but are not limited to enlarged reproductions of existing HUD printed PSAs and HUD materials. Provide information on media markets coverage with specific protected class focus, as well as those with Limited English Proficiency and a method for distribution of the finished product.

c. The Budget Form and Narrative Budget Work Plan (10 Points). HUD will also assess the soundness of your approach by evaluating the quality, thoroughness, and reasonableness of the budget and financial controls of your organization, including your proposed program cost categories. As part of your response, you must prepare a budget that is:

- (1) reasonable in achieving the goals identified in your proposed SOW;
- (2) related to the activities and tasks in the SOW – in terms of cost categories and dollar levels;
- (3) cost-effective,

(4) quantifiable based on the need(s) identified in Rating Factor 2, and

(5) justifiable for all cost categories in accordance with those indicated in the HUD-CB.

If you are awarded FHIP funds, HUD staff will request that you provide your federally approved indirect cost rate during budget negotiations. If you do not have a federally approved indirect cost rate and HUD is the cognizant agency, HUD will submit a request within 30 days after award to establish a rate. For information on indirect cost rates, you can review HUD's training at: <http://www.hud.gov./offices/adm/grants/fundsavail.cfm>.

(6) Financial Management Capacity. Describe your organization's financial management system and your Board's role in financial management or oversight. In addition, discuss your organization's capabilities in handling financial resources, disseminating payments to third parties, e.g. contractors, and maintaining adequate accounting and internal control procedures.

(7) Grant Application Detailed Budget Worksheet (HUD-424-CBW). The HUD-424-CBW must show the total cost of the project and indicate other sources of funds that will be used for the project. While the costs are based only on estimates, the budget narrative work plan may include information obtained from various vendors, or the applicant may rely on historical data. Applicants must round all budget items to the nearest dollar amount.

A written narrative budget work plan must accompany the proposed budget explaining each budget category listed and must explain each cost category. Failure to provide a written narrative budget work plan will result in 2 points being deducted from your rating factor. The narrative must explain each cost category you list. Where there

are travel costs for contractors/consultants, you must show that the combined travel costs (per diem rates) are consistent with Federal Travel Regulations (41 CFR 301.11) and travel costs for the applicant's contractors and/or consultants do not exceed the rates and fees charged by local contractors and consultants. The narrative (which does not count toward the ten page limit) must address the Grant Application Detailed Budget. The budget narrative should include a brief discussion of how your proposed program is cost effective in achieving the anticipated results of the proposed activities in the targeted area. Applicants seeking funding to conduct activities in an area other than the applicant's State or locality must discuss the cost effectiveness of where the activities will be conducted in relation to the location of the organization. HUD will look at the cost effectiveness of your travel to and from your location to the targeted area(s); expenses for out-stationed personnel, contracts and sub-grantees; and other direct costs, which may include relocation expenses, and telecommunications expenses; HUD will then make a final determination of cost effectiveness based on these listed items.

4. Rating Factor 4: Leveraging Resources (5 Points)

This factor addresses your ability to secure additional resources to support your project. Points will be awarded on the basis of the percentage of non-FHIP resources you have received at application submission in the form of firm commitments or documented collaborative efforts you have with Fair Housing Assistance Program (FHAP) agencies.

a. Firm Commitment of Leveraging or Collaboration. HUD requires you to secure resources from sources other than what is requested under this FHIP NOFA. Leveraging of community resources may include funding or in-kind contributions, such as workspace or services or equipment, allocated to the purpose(s) of your proposal. Contributions

from the applicant, affiliates, subsidiaries, divisions, or employees of the applicant do not qualify as in-kind contributions. Cash or funds from an applicant's previously established investment account(s) may qualify as in-kind resources; however, documentation must be provided. Resources may be provided by governmental entities (including other HUD programs if such costs are allowed by statute), public or private non-profit organizations, faith-based organizations, for-profit or civic private organizations, or other entities' planned contributions. In order to obtain points for leveraging third party resources you must provide letters of firm commitment or signed agreements from the organizations and/or individuals who will provide financial or in-kind support for your project. "Collaboration" refers exclusively to activities you are conducting or plan to conduct with Fair Housing Assistance Program agencies. You must provide a letter of firm commitment from a FHAP or a document signed by authorized representatives of the FHAP agency and your organization, such as a memorandum of understanding, or on their letterhead, stating their intent to work with you on your project. The FHAP agency must serve the area where the current or proposed activities are to be conducted. In instances where FHAPs are applicants and submitting letters on their own behalf, the FHAPs must state that FHAP funds are not being used for FHIP collaboration without prior approval by the FHAP GTR.

For all applicants, each letter of firm commitment must:

(1) State definitively a commitment to provide funding or in-kind resources (although the commitment may be on the condition that your organization receives a FHIP award);

(2) Identify the organization and/or individual committing resources to the project and state the timeline for use of these funds in relation to the project. Further, the letter must identify any affiliation with the applicant;

(3) Identify the sources and amounts of the leveraged resources (the total FHIP and non- FHIP amounts must match those in your proposed budget submitted under Rating Factor 3); and

(4) Describe how these resources will be used under your SOW; and

(5) Dated and signed by the individual or organization official legally able to make commitments for the organization.

If the resources are in-kind or donated goods, the firm commitment letter must indicate the fair market value of those resources and describe how this fair market value was determined. (Do not include indirect costs within your in-kind resources.) In-kind matching and leveraging contributions, as well as Program Income must comply with 24 CFR 84.23 and 84.24 requirements. FHIP funds cannot be used for in-kind or donated services (for example, services of a current staff person on a FHIP-funded project).

There will be no points awarded for general letters of support endorsing the project from organizations, including elected officials on the local, State, or national levels, and/or individuals in your community. See **General Section** for instructions on how third party documents are to be submitted to HUD via the electronic submission process. If your project will not be supported by non-FHIP resources, then you will not receive any points under this factor. Points will be assigned for each Initiative based on the following scale:

For PEI-PBFC applicants only, each letter must state the total dollar amount of funding or in-kind resources to be donated to the fair housing project, and specify the amount to be used during each of the three years of this project.

Points Awarded	Percent of total project costs from non-FHIP resources
One	Less than five
Two	Five to ten
Three	11 to 20
Four	21 to 30
Five	At least 31

Five points will be awarded if your application contains a letter or agreement from a Fair Housing Assistance Program agency stating their firm commitment to work with you on your project. Should the commitment letter lack any of the required information listed in (1) through (3) above, ‘0’ points will be awarded under this factor.

5. Rating Factor 5: Achieving Results and Program Evaluation (15 Points)

a. In evaluating this Rating Factor, HUD will assess the extent to which you demonstrate how you will measure the results of the work of your organization as set out in your budget and SOW. Applicants must select from the list of activities and outcomes detailed in the Logic Model for the Initiative applied for and should determine from these selections, their specific methods and measures to assess progress, evaluate program effectiveness, and identify program changes necessary to improve performance.

Applicants should mirror your logic model to your SOW and Budget. This will ensure that performance measures are met and that grantees are establishing achievable realistic goals. Applicants who have identified outputs and outcome measurements and methods for assessing those against commitments made in the application, will receive higher

points than those that do not. To meet this Rating Factor requirement, you must submit HUD's Logic Model (HUD-96010).

Instructions and a Microsoft Excel™ form are provided in the forms appended to the Instruction Download on http://www.grants.gov/applicants/apply_for_grants.jsp.

Applicants that do not have access to Microsoft Excel™ may obtain a copy of the form in HTML fillable format along with a text format of the Master Logic Model listing, from HUD's website at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

A narrative response is not required for this Rating Factor as all applicants must use the Logic Model Form. Applicants that submit narrative responses rather than use the Logic Model Form will receive no points under this Rating Factor. Applicants should also review the Logic Model training which can be found at <http://www.hud.gov/offices/adm/grants/training/training.cfm>.

b. In evaluating this Rating Factor:

(1) Needs. HUD will review the activities/outputs and outcomes as units of measurement you selected and in relation to the needs of your intended audience or target populations;

(2) Output. The direct products of the applicant's activities that lead to the ultimate achievement of outcomes. Some examples of activities and outputs for PEI and EOI applicants can be found at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>. Applicants must select one or more activities from the listing of "Fair Housing Services Provided" that will be undertaken by their organization. You must select from the list

“Fair Housing Services Provided” and do not add additional services to that list to receive points under this Rating Factor.

(3) Outcome. The Logic Model has a prepared list of activities, outcomes and indicators associated with Fair Housing. Applicants must choose from this list of “Year 1, Year 2, or Year 3” outcomes that are provided as part of the FHIP NOFA, as appropriate, or applicants may choose other activities. If other activities are identified, applicants must provide a brief statement to describe these activities or outcomes. Applicants who do not either select from the list “Outcomes and Indicators” or select “Other”, providing a brief description of each, will not receive points under this Rating Factor. You should assess progress and track performance in meeting the goals and objectives outlined in the work plan.

Accountability can be achieved using specific measurement tools to assess the impact of your activities. Examples include:

- Pre/Post Tests;
- Customer/Client Satisfaction Survey;
- Follow-up Survey;
- Observational Survey; or
- Functioning scale.

Applicants must also reference policy priorities, as stated in their response to Factor 3, and relate

them to your project’s goals, as appropriate.

B. Criteria for National-Based Program Applications

Factors for Award Used to Evaluate and Rate Applications for the EOI National Based - Program. The criteria for rating and ranking applications and the maximum points for each Rating Factor are provided below. The maximum number of points awarded any application is 100. Bonus points are not available for this category of funding.

1. Rating Factor 1: Capacity of Applicant and Relevant Organizational Experience (25 Points)

This factor addresses the extent to which the applicant has the organizational resources necessary to successfully implement the proposed activities in a timely manner, and the applicant's ability to develop and implement large media information campaign projects as appropriate on a national level. The rating of the "applicant" or the "applicant's organization and staff" for technical merit or threshold compliance, unless otherwise specified, will include any sub-contractors, consultants, sub-recipients that are firmly committed to the project.

In General. You must describe staff expertise and your organization's ability to complete the proposed activities within the grant period. HUD recognizes that, in carrying out the proposed activities, you may have persons already on staff, plan to hire additional staff, or will rely on contractors or consultants to perform specific tasks. You must describe your staffing plan and the extent to which you plan to add staff (employees) or contractors. If your application proposes using contractors and these contractor activities amount to more than 10 percent of your total activities, you must submit a separate budget for each contractor. Failure to include a separate budget will

result in lower points being assessed to your application. If you received a “Fair” performance rating, you will receive “0” points under this factor for sub-factors (b) and (c).

(5) Points current FHIP grantees

(10) Points for new applicants

a. Number and expertise of staff (this includes contractors and consultants). You must show that you will have sufficient, qualified staff that will be available to complete the proposed activities. The following information must be provided for all staff not just key personnel (those persons identified in SOW in Rating Factor 3: Soundness of Approach) assigned to or hired for this project.

Identify all persons that will be assigned to the project by name and/or title and hours. You must describe the knowledge and experience of the proposed overall project director or day-to-day program manager (whose duties and responsibilities are to manage all program and administrative activities as outlined in the SOW and ensure that all timelines are met), in planning and managing national projects similar in scope and complex interdisciplinary programs. You may demonstrate capacity by thoroughly describing your prior experience in conducting national and/or regional/local media campaigns. You should indicate how this prior experience will be used in carrying out your proposed activities. Your application must clearly identify those persons that are on staff at the time of this application, and those persons who will be assigned at a later date; describe each person’s duties and responsibilities and their expertise (including years of experience) to perform project tasks; indicate whether the staff person is assigned to work

full-time or part-time (if part-time, indicate the percentage of time each person is assigned to the project).

Whether the applicant has experienced staff or proposes to use a contractor sub-grantee, the extent to which the applicant provides rationale for how it will utilize its staff or a contractor sub-grantee to implement its proposed activities, methods, and how these media techniques will most effectively deal with the national need described by the applicant in response to the need described in Rating Factor 2. To the extent possible, applicants should demonstrate effectiveness in terms of scope and cost.

(15) Points for current FHIP grantees

(15) Points for new applicants

b. Organizational experience. In responding to this sub-factor, you must show that your organization has the ability to effectively develop, implement, and manage a media campaign on a national scale. (Applicants must be an established media /advertisement organization and include as part of their proposal a subcontract with an established fair housing organization). Applicants for FHIP program funding must specifically describe their experience in developing or carrying out programs to prevent or eliminate discriminatory housing practices. Applicants must discuss their ability to implement a coordinated national marketing awareness campaign, especially in the areas of fair housing, discrimination, public health, and housing. In responding to this sub-factor, the applicant must describe the extent to which its past activities have resulted in successful national media campaigns, as appropriate, especially with respect to developing and implementing innovative strategies resulting in positive public response. Experience will

be judged in terms of recent, relevant and successful experience of your staff to undertake eligible activities.

In rating this factor, HUD will consider experience within the last 3 years to be recent, experience pertaining to the specific activities to be relevant, and experience producing measurable accomplishments to be successful. The more recent the experience and the more experience your own staff members who work on the project have in successfully conducting and completing similar activities, the greater the number of points you will receive for this rating factor.

(5) Points for current FHIP grantees

(0) Points for new applicants

c. Performance on past project(s). HUD will assess your organization's past performance in conducting activities relevant to your current application. For current FHIPs, past performance will be assessed based on your most recent performance assessment received from your HUD Government Technical Representative (GTR) for the past 2 completed fiscal years.

HUD staff will provide this information to the Technical Evaluation Panel (TEP) that will evaluate your application. Based on past performance, the following points will be added to your score under this rating sub-factor:

(1) 5 points if you received an "Excellent" performance assessment; and

(2) 0 points if you received a "Good" performance assessment.

2. Rating Factor 2: Need/Approach Extent of the Problem (10 Points)

This factor addresses the extent to which the applicant documents and defines the national need that its proposed activities and methods are intended to address, and how its

proposal offers the most effective approach for meeting that national need. The applicant's submission will be evaluated on the extent to which it defines, describes, and documents the national need the application intends to address, which demonstrates a grasp of the elements of the need, its pervasiveness at the national level, and an understanding of the necessary mass media vehicles to disseminate information to address the need. The applicant's description of the national need will be used to evaluate the depth of the applicant's understanding of the problem as an indication of ability to address the problem.

3. Rating Factor 3: Soundness of Approach (45 Points)

This rating factor addresses the quality and cost-effectiveness of the applicant's proposed Statement of Work (SOW). You must describe your project in detail, and how it will support the goals and policy priorities outlined in the **General Section**. For each goal and policy priority that your project addresses, you must propose performance measures/outcomes in support of these goals, and establish numerical baselines and targets for those measures. The SOW must address the strategy, quality and time frames needed to carry out the project and all activities as proposed.

a. Support of HUD Goals (8 Points). HUD encourages applicants to undertake specific activities that will assist the Department in implementing its policy priorities and which will help the Department achieve its goals and objectives in FY2008. Describe how your proposed project will further and support HUD's policy priorities for FY2008. The quality of the responses provided and the extent to which a program will further and support one or more of HUD's priorities will determine the score an applicant can receive. Applicants must describe how each policy priority selected will be addressed.

Applicants that just list a priority will receive no points. Each policy priority addressed if applicable, must discuss the national need in relation to the project's purpose, the persons to be served and the methodology for carrying out these activities. Each policy priority has a point value of one point, with the exception of the policy priority to remove regulatory barriers to affordable housing which has a point value of up to 2 points; and, promoting participation by grassroots faith-based and other community-based organizations, or partnering with an organization promoting participation in grassroots faith-based and other community-based organizations, which has a point value of up to 4 points, depending on your response. It is up to the applicant to determine which of the policy priorities to address to receive the available 8 points. To secure the possible 2 points for efforts to Remove Regulatory Barriers to Affordable Housing, an applicant must submit the completed questionnaire (HUD 27300), and provide the required documentation and contact information. Please see the **General Section** for further information on Removal of Regulatory Barriers to Affordable Housing. The questionnaire is part of the electronic application package. For the full list of each policy priority, please refer to the **General Section**.

b. Statement of Work (SOW) (22 Points).

Submit a proposed SOW that comprehensively outlines in chronological order the administrative and program activities and tasks to be performed during the grant period. Your outline should also include a schedule of proposed activities and products (with interim implementation steps), staff allocation over the term of the project, staff acquisitions and training, and activities of partners and contractors. Points will be assigned based on the relevance of proposed activities to national needs stated in Rating

Factor 2, the attention given to implementation steps, the consistency of proposed activities with organizational expertise and capacity, and the accuracy of the SOW and budget.

For this National Media Campaign Component, HUD anticipates that products should be available in at least 3 languages, including English. Deliverables may include Public Service Announcements (PSAs) for radio and television in both majority and minority markets, and posters and other graphic materials. Graphic materials may include, but are not limited to, enlarged reproductions of several print PSAs, separately produced and printed posters for national public dissemination, and the development of ad slicks to market in newspapers and magazines nationwide. The applicant should plan on using a clipping service or internet based services or other appropriate means to collect information on frequency and scope of the placement of ads.

To obtain maximum points under this sub-factor, the applicant's SOW must:

(1) Clearly describe the specific activities and tasks to be performed, the sequence in which tasks are to be performed and noting when activities must be performed simultaneously, estimated completion dates, and the work and program deliverables to be completed within the grant period. This information must include specific numbers of quantifiable end products and program improvements to be delivered by the end of the award agreement period as a result of the work performed;

(2) Provide national media market coverage and specific protected class focus, and

(3) Describe the methods to be used to distribute finished materials and gauge the effectiveness of their national marketing strategies.

c. Budget Form and Narrative Budget Work Plan (15 Points). A written narrative budget work plan must accompany the proposed budget. HUD will assess the soundness of your approach by evaluating the quality, thoroughness, and reasonableness of the budget and financial controls of your organization, including information on your proposed program cost categories. As part of your response, you must prepare a budget that is:

(1) reasonable in achieving the goals identified in your proposed SOW;

(2) relate tasks in the SOW to the proposed budget costs and to the Logic Model;

(3) cost-effective (as demonstrated by a brief discussion of the extent to which your proposed program is cost effective in achieving the anticipated results of the proposed activities in the targeted area);

(4) reflective of an effort to provide information in a manner (e.g., languages, accessibility to persons with visual or hearing impairments, formats, locations, distribution, use of majority and minority media) that will reach and benefit all members of the public, especially members of target groups identified in Factor 2;

(5) effective for yielding long-term results and innovative strategies or "best practices" that can be readily disseminated to other organizations and State and local governments; and

(6) effective with respect to the proposed National Media Campaign Component and its activities, training and meeting sites, and information services and materials, accessible to all persons including persons with disabilities.

Indicate in the narrative budget work plan how the proposed project's achievements are quantifiable and relevant to the needs identified in Rating Factor 2.

Also indicate whether your proposed project is justifiable for all cost categories in accordance with the cost categories indicated in the HUD-424 CB. If you are awarded a grant or cooperative agreement under FHIP, staff will request that you include your approved indirect cost rate as part of your negotiations with HUD. If you do not have a federally approved indirect cost rate and HUD is the cognizant agency, HUD will submit a request within 30 days after award to establish a rate. For information on indirect cost rates, you can review HUD's training on

<http://www.hud.gov./offices/adm/grants/fundsavail.cfm>.

4. Rating Factor 4: Leveraging Resources (5 Points)

This factor addresses your ability to secure additional resources to support your project. Points will be awarded on the basis of the percentage of non-FHIP resources you have received at application submission, in the form of firm commitments, or planned collaborative efforts you have with Fair Housing Assistance Program agencies.

a. Firm Commitment of Leveraging or Collaboration. HUD requires you to secure resources from sources other than that which is requested under this FHIP NOFA.

Leveraging of community resources may include funding or in-kind contributions, such as workspace or services or equipment, allocated to the purpose(s) of your proposal.

Contributions from the applicant, affiliates, subsidiaries, divisions, or employees of the applicant do not qualify as in-kind contributions. Funds from an applicant's previously established investment account(s) may qualify as in-kind resources; however,

documentation must be provided. Resources may be provided by governmental entities (including other HUD programs if such costs are allowed by statute), public or private non-profit organizations, faith-based organizations, for-profit or civic private

organizations, or other entities' planned contributions. In order to obtain points for leveraging third party resources you must provide letters of firm commitment or signed agreements from the organizations and/or individuals who will provide financial or in-kind support for your project. "Collaboration" refers exclusively to activities you are conducting or plan to conduct with Fair Housing Assistance Program agencies. Firm letters of Commitment must:

(1) Identify the agency, organization and/or individual committing resources project, the timeframes and timelines for use of the funds, state that the funds will be used for fair housing to support the applicant should they be awarded, and identify any affiliation with the applicant,

(2) Identify the sources and amounts of the leveraged resources (the total FHIP and non-FHIP amounts must match those in your proposed budget submitted under Factor 3), and

(3) Describe how these resources will be used under your SOW. The letter must be dated and signed by the agency, individual and/or organization official legally able to make commitments for the organization. It must also be provided on the letterhead of the agency, organization and/or individual. If the resources are in-kind or donated goods, the commitment letter must indicate the fair market value of those resources and describe how this fair market value was determined. (Do not include indirect costs within your in-kind resources). In-kind matching and leveraging contributions, as well as Program Income must comply with 24 CFR § 84.23 and 24 CFR § 84.24 requirements.

FHIP funds cannot be used for in-kind or donated services (for example, a current staff person on a FHIP-funded project). No points will be awarded for general letters of

support endorsing the project from the agency or organizations, including elected officials on the local, State, or national levels, and/or individuals in your community. See **General Section** for instructions on how third party documents are to be submitted to HUD via the electronic submission process. If your project will not be supported by non-FHIP resources, then you will not receive any points under this factor. Points under the factor will be assigned based on the following scale:

Points Awarded	Percent of total project costs from non-FHIP resources
One	Less than five
Two	Five to ten
Three	11 to 20
Four	21 to 30
Five	At least 31

Five points will be awarded if your application contains a letter of firm commitment from a Fair Housing Assistance Program agency stating their firm commitment to work with you on your project. Should the letter lack any of the required information listed in (1) through (3) above, no points will be awarded under this factor.

5. Rating Factor 5: Achieving Results and Program Evaluation (15 Points)

a. In evaluating this Rating Factor, HUD will assess the extent to which you demonstrate how you will measure the results of the work of your organization as set out in your budget and Statement of Work. Applicants must select from the list of activities and outcomes detailed in the Logic Model and should determine from these selections, their specific methods and measures to assess progress, evaluate program effectiveness, and identify program changes necessary to improve performance. This will ensure that performance measures are met and that grantees are establishing achievable realistic

goals. Applicants who have identified outputs and outcome measurements and methods for assessing those measurements against commitments made in the application, will receive higher points than those that do not. To meet this Factor requirement, you must submit a completed HUD's Logic Model (HUD-96010).

Instructions and a Microsoft ExcelTM form are provided in the forms appended to the Instruction Download on www.Grants.gov/APPLY. Applicants that do not have access to Microsoft ExcelTM may obtain a copy of the form in HTML fillable format along with a text format of the Master Logic Model listing, from HUD's website at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

A narrative response is not required for this Rating Factor; all applicants must use the Logic Model Form. Applicants that submit narrative responses rather than use the Logic Model Form will receive no points under this Rating Factor. Applicants should also review the Logic Model training which can be found at <http://www.hud.gov/offices/adm/grants/training/training.cfm>.

b. In evaluating this Rating Factor:

(1) HUD will review the activities/outputs and outcomes as units of measurement you selected in relation to the needs of your intended audience or target populations;

(2) Output. The direct products of the applicant's activities that lead to the ultimate achievement of outcomes. Some examples of activities and outputs for EOI applicants can be found at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

Applicants must select one or more activities from the listing of "Fair Housing Services Provided" that will be undertaken by their organization. Applicants who do not select

from the list “Fair Housing Services Provided” and/or do not add additional services to that list, will not receive any points under this Rating Factor.

(3) Outcome. The Logic Model has a prepared list of activities, outcomes and indicators associated with Fair Housing. Applicants must choose from this list of “Year 1, Year 2, or Year 3” outcomes that are provided as part of the FHIP NOFA or applicants may choose other activities and if so, must provide a brief statement to describe these activities or outcomes. Applicants who do not either select from the list “Outcomes and Indicators” or select “Other” providing a brief description of each will not receive points under this Rating Factor. You should assess progress and track performance in meeting the goals and objectives outlined in the work plan.

Accountability can be achieved using specific measurement tools to assess the impact of your activities. Examples include:

- Pre/Post Tests;
- Customer/Client Satisfaction Survey;
- Follow-up Survey;
- Observational Survey; or
- Functioning scale.

Applicants must also reference policy priorities, as stated in their response to Rating Factor 3, and relate them to your project’s goals, as appropriate.

C. Reviews and Selection Process

1. Rating and Ranking. Although all rating factors are organized the same way for all FHIP initiatives, there are differences in application requirements and rating criteria,

which are indicated throughout the Rating Factor instructions. Your application for funding will be evaluated competitively against all other applications submitted under one of the following Initiatives or Components:

a. Private Enforcement Initiative (PEI) -

- (1) General Component (PEI-GC);
- (2) Performance-Based Funding Component (PBFC);

b. Education and Outreach Initiative (EOI)

- (1) Regional/Local/Community Based Program (EOI-R/L/C-B)

- (a) General Component (EOI-GC);
- (b) Clinical Law School Component (EOI-CLS);

- (2) National-Based Program (EOI-NBP); National Media Campaign Component (EOI-NMCC)

c. Fair Housing Organization Initiative (FHOI)

Continued Development Component

For all initiatives, all eligible applications will be reviewed and points awarded based upon:

- (1) Narrative responses to the Factors for Award and the accompanying materials specified, and

- (2) RC/EC/EZ-IIs bonus points, as applicable. Ineligible applications will not be ranked. The maximum number of points to be awarded for the Rating Factors is 100. See the **General Section** for information on Bonus Points.

Only applications with a score of seventy-five (75) points or more will be considered of sufficient quality for funding, except for PBFC applications. Generally,

applications of sufficient quality for funding will be selected in rank order under each Initiative or Component.

PBFC applicants will be evaluated competitively against other PBFC applicants who apply and have received two years of “Excellent” performance reviews for FHIP PEI awards made in any two years from FY 2002 through FY 2006, as well as a score of 95 on the most current of these two performance reviews. These applicants will then be rated by the Technical Evaluation Panel (TEP) and ranked according to score. Only those applicants who receive a minimum final score of 95 or above from the TEP will be considered for funding under this Component.

2. Tie Breaking. When two or more applications have the same total overall score, the application with the higher score under Rating Factor 3 will be ranked higher. If applications still have the same score, the tie will be broken by the Rating Factor 1 score. If a tie still remains, then the tie will be broken by the Rating Factor 2 score. And if a tie remains, the application seeking a smaller amount of FHIP funding will be selected.

3. Achieving Geographic Diversity of Awards.

a. PEI and EOI: HUD reserves the discretion to distribute awards to as many States as possible (geographic diversity criterion) for each Initiative or Component. If the Selecting Official exercises this discretion, he or she will consider score (rank order) first, then geographic diversity – in the following manner: First, only qualified applicants will be considered – i.e., applicants achieving a score of 75 points or higher. Second, qualified applicants will be rank ordered by score with the highest scoring applicant at the top of the list. Third, when the highest ranking applicant is selected, the Selecting Official will look on the list for qualified applicants from the same State. Those

applicants will be moved to the end of the list. Then selection will continue with the next applicant at the top of the list. If funds remain after the Selecting Official goes through the list the first time, he or she will rank order the qualified applicants at the end of the list and repeat the selection process for rank order and geographic diversity. For the PEI-PBFC, the geographic diversity provision will be applied as follows: when there are two or more applications of sufficient quality from the same city, the application(s) with the lower score(s) may not be funded.

For the Clinical Law School Component, the National Media Campaign Component, and the FHOI –Continued Development Component, the geographic diversity provision does not apply.

4. Adjustments to Funding. As provided in the **General Section**, HUD may approve an application for an amount lower than the amount requested, fund only portions of the application, withhold funds after approval, reallocate funds among activities and/or require that special conditions be added to the grant agreement, in accordance with 24 CFR 84.14, the requirements of the **General Section**, or where:

- a. HUD determines the amount requested for one or more eligible activities is unreasonable or unnecessary;
- b. An ineligible activity is proposed in an otherwise eligible project;
- c. Insufficient funding amounts remain to award the full amount requested in the application, and HUD determines that partial funding is a viable option;
- d. The past record of key personnel warrants special conditions; or,
- e. Training funds are not reserved for FHIP training.

5. Reallocation of Funds. After all applications within funding range have been selected or obligations are completed in an Initiative if funds are still available, the Selecting Official or designee will have the discretion to reallocate those remaining funds in rank order among Initiatives as follows:

a. PEI, any remaining funds from any component will be reallocated first within that Initiative, if after reallocating funds within the Initiative and funds still remain, they shall be reallocated to EOI.

b. EOI, any remaining funds from any component will be reallocated first within that Initiative; if after reallocating funds within the Initiative left over funds remain, they shall be reallocated to PEI;

c. FHOI, any remaining funds will be allocated to PEI.

D. Anticipated Announcement and Award Dates. For planning purposes, anticipate an announcement date of September 23, 2008 and an award date of September 29, 2008.

VI. Award Administration Information

A. Award Notices

1. Applicant Notification and Award Procedures.

a. Notification. Information about the review and award process will not be available during the of HUD evaluation period, which begins on the application deadline date for this NOFA and lasts for approximately 90 days thereafter. However, you will be advised, in writing or by telephone, if HUD determines that your application is ineligible or has technical deficiencies which may be corrected as described in the **General Section**.

HUD will only communicate with persons specifically identified in the SF-424 in the

application. HUD will not provide information about the application to any third party such as contractors.

b. Negotiations. If you are selected, HUD will require you to participate in negotiations to determine the specific terms of your cooperative or grant agreement. HUD will follow the negotiation procedures described in the **General Section**. The selection is conditional and does not become final until the negotiations between the applicant and the Department are successfully concluded and the grant or cooperative agreement is signed and executed based upon the negotiations. HUD will negotiate only with the person identified in the application as the Director of the organization or if specifically identified in the application as the Project Director. HUD will not negotiate with any third party (i.e., a contractor, etc.). The Grant Officer and Government Technical Representative will determine on a case-by-case basis if technical assistance or special conditions are required.

c. Applicant Debriefing. After awards are announced, applicants may receive a debriefing on their application as described in the **General Section**. Materials provided during the debriefing will be both the applicant's final scores and final evaluator comments for each rating factor. Applicants requesting a debriefing must send a written or email request to Annette Corley, Grant Officer, U.S. Department of Housing and Urban Development, FHIP/Support Division, 451 Seventh Street SW, Room 5224, Washington, DC 20410. HUD will not release the names of applicants or their scores to any third party.

B. Administrative and National Policy Requirements.

1. Accessibility Requirements. All activities, facilities, and materials funded by this Program must be accessible to persons with disabilities (24 CFR 8.2, 8.4, 8.6, and 8.54).
2. Protected Classes. All FHIP-funded projects must address housing discrimination based upon race, color, religion, sex, disability, familial status, or national origin.
3. Environmental Requirements. In accordance with 24 CFR 50.19(b)(3), (4), (9), (12), and (13) of HUD regulations, activities assisted under this program are categorically excluded from the requirements of the National Environmental Policy Act and are not subject to environmental review under related laws and authorities.
4. Procurement of Recovered Materials. State agencies (FHAP agencies) and agencies of a political subdivision of a State that are using assistance under a HUD program NOFA for procurement, and any person contracting with such an agency with respect to work performed under an assisted contract, must comply with the requirements of Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. See **General Section** for details.
5. Product Information. Press releases and any other product intended to be disseminated to the public must be submitted to the Government Technical Representative (GTR) two weeks before release for approval and acceptance.
6. Ensuring the Participation of Small Businesses, Small Disadvantaged Businesses, and Women Owned Businesses. (See **General Section**).
7. Payment Contingent on Completion. Payment of FHIP funds is made on a reimbursement basis. Payments are contingent on the satisfactory and timely completion of your project activities and products as reflected in your grant or cooperative agreement. Requests for funds must be accompanied by financial and progress reports.

8. Copyright Materials. You may copyright any work that is eligible for copyright protection subject to HUD's right to reproduce, publish, or otherwise use your work for Federal purposes, and to authorize others to do so as required in 24 CFR § 84.36.
9. Complaints Against Awardees. Each FHIP award is overseen by a HUD Grant Officer (See www.hud.gov for list of FHEO Regional Directors per region). Complaints from the public against FHIP grantees should be forwarded to the Grant Officer. The Grant Officer's name and contact information is provided in the grant agreement. If, after notice and consideration of relevant information, the Grant Officer concludes that there has been inappropriate conduct, such as a violation of FHIP requirements, terms or conditions of the grant, or any other applicable statute, regulation or other requirement, HUD will take appropriate action in accordance with 24 CFR § 84.62. Such action may include: written reprimand; consideration of past performance in awarding future FHIP applications; repayment to HUD of funds received under the grant; or temporary or permanent denial of participation in the FHIP in accordance with 24 CFR part 24.
10. Double Payments. If you are awarded funds under this NOFA, you (and any contractor or consultant) may not charge or claim credit for the activities performed under this project under any other Federally assisted project.
11. Performance Sanctions. A grantee or contractor failing to comply with the requirements set forth in its grant or cooperative agreement will be liable for such sanctions as may be authorized by law, including repayment of improperly used funds, termination of further participation in the FHIP, and denial of further participation in programs of HUD or any federal agency.

C. Reporting

1. HUD requires that funded recipients collect racial and ethnic beneficiary data. The Department has adopted the Office of Management and Budget's Standards for the Collection of Racial and Ethnic Data. In view of these requirements, you should use Form HUD-27061, Racial and Ethnic Data Reporting Form (and instructions for its use), found on www.HUDclips.org. Also, quarterly and as your project ends, you must report meaningful data derived from client feedback on how they benefited from your project's activities.
2. Listed below is a sample-reporting document of activities and tasks to be performed by a FHIP Grantee.

ADMINISTRATIVE ACTIVITIES			
ACTIVITIES	TASKS	SUBMITTED BY	SUBMITTED TO
1. Complete HUD-22081 Race and Ethnic Data Reporting Form		45 Days	GTR/GTM
2. Complete HUD-28807 Disclosure Statements	Submit Disclosure Statement. If no changes occur, submit statement of no change with final report.	When changes occur	GTR/GTM
3. Complete SF-269A Financial Status Report and Written Quarterly Status Reports on All Activities	Submit SF-269A and Copy of Written Report.	Quarterly	GTR/GTM
4. Voucher for Payment	Submit payment request to LOCCS.	Per Payment Schedule	GTR/GTM
5. Complete Listing of Current or Pending Grants/Contracts/Other Financial Agreements	Submit listing for recipient and any contractors.	45 Days from start of grant period and At end of Grant	GTR/GTM
6. Prepare and Submit Draft of Final Report, including HUD 96010.	Submit Draft of Report. Submit your eLogic Model Reporting your short- and intermediate term outputs and outcomes as contained in the eLogic Model submitted and approved in your grant agreement. Your report and eLogic Model should identify results and benefits to date of the work accomplished under the FHIP award. In addition, the eLogic Model should include an attachment that	One month before end of grant term.	GTR/GTM

	addresses the management questions applicable to your work. Complaint and testing activities should provide data on complaints received and tests conducted by basis, issues, and outcomes. This should include number of credible, legitimate complaints filed with HUD, a State or local Fair Housing Agency, Department of Justice or private litigator; and types of relief/results.		
7. Complete Final Report and Provide Copies of All Final Products Not Previously Submitted	Submit a copy of the Final Report, including a final eLogic Model with all outputs and outcomes identified, and management questions responded to. Submit all Final Products not previously submitted to GTR and GTM.	Within 90 days after end of grant term.	GTR/GTM
8. Submit 2 copies of Final Report and all final program products produced under the Grant (by diskette, where feasible) to HUD.	Submit detailed description of items submitted to GTR and GTM.	Within 90 days after end of grant term.	GTR/GTM

VII. Agency Contacts

You may contact Myron P. Newry or Denise L. Brooks, of the Office of Fair Housing and Equal Opportunity's FHIP Support Division, at 202-402-7095 or 202-402-7050, respectively (these are not toll-free numbers). Persons with hearing or speech impairments may contact the Division by calling 1-800-290-1617 (this is a toll-free number).

VIII. Other Information

Paperwork Reduction Act. The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control approval number 2529-0033. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to a collection of

information unless the collection displays a currently valid OMB control number. Public reporting burdens for the collection of information are estimated to approximate 105 hours per annum per respondent for the application and grant administration. This includes the time for collecting, reviewing, and reporting the data for the application, semi-annual reports and final report. The information will be used for grantee selection and monitoring the administration of funds. Response to this request for information is required in order to receive the benefits to be derived.